

ESTTA Tracking number: **ESTTA727541**

Filing date: **02/17/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92062808
Party	Plaintiff Gaia Enterprises, Inc.
Correspondence Address	CHRISTOPHER DARROW DARROW LAW OFFICE 748 23RD STREET STE 1 SANTA MONICA, CA 90402 UNITED STATES darrow@darrowlegal.com
Submission	Opposition/Response to Motion
Filer's Name	Christopher Darrow
Filer's e-mail	darrow@darrowlegal.com
Signature	/Christopher Darrow/
Date	02/17/2016
Attachments	Opposition to Respondent's Motion to Extend Time to File An Answer.pdf(116200 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

GAIA ENTERPRISES, INC.

Petitioner

vs.

COMPASS MINERALS AMERICA, INC.

Registrant

Cancellation No. 92062808

In the Matter of Reg. No. 3963355

Mark: SURE PAWS

Date Registered: May 17, 2011

PETITIONER'S OPPOSITION
TO RESPONDENT'S MOTION TO EXTEND TIME TO FILE AN ANSWER

In the very short time that Petitioner has to prepare its opposition to the subject motion set for hearing today, February 17, 2016, at 4 PM EST, Petitioner wishes to make the following points for the TTAB's consideration.

Respondent's counsel, Mr. Feathers, and I have had a very civil relationship since January 8, 2016 which was the time, as he states in Respondent's motion, that he requested a 30 day extension of time to answer the Petition for Cancellation.

I agreed to give Compass an extra month as a courtesy so that Mr. Feathers could come up to speed. We have had several gentlemanly discussions along the way regarding settlement, but that should not have interfered with considering what to put into an answer. This is not a complex Federal court case. The answer does not need to include any evidence. Client input does not need to be exhaustive. Settlement discussion can continue in a parallel course.

The motion discusses the management changes and issues at Compass as justification for needing additional time. However, it simply cannot take a month to discuss and decide on what should go into an answer. If any company took a month to make a basic business decision, it would be out of business. Compass is obviously very much in business. It can decide what to put into an answer in a day.

Furthermore, there are three attorneys listed on the motion as counsel for the Respondent. They should be able to prepare an answer in a matter of hours. In fact, the answer could have been prepared in about the same time it took to write the motion.

Petitioner has been cooperative thus far and will, in the future, continue to act in good faith. Petitioner understands that good cause could arise in the future for slipping the schedule but, at this point, slipping the entire schedule is unjustified. Petitioner suggests giving Compass a week to file its response and that we leave the schedule otherwise unchanged.

Respectfully submitted:

Dated: February 17, 2016

By: / Christopher Darrow/
Christopher Darrow (CA Bar No. 70701)

Darrow Law Office
748 23rd Street
Santa Monica, CA 90402
Telephone: (310) 717-7813
Email: darrow@darrowlegal.com

CERTIFICATE OF SERVICE

I hereby certify that on February 17, 2016, I sent a copy of the foregoing Petitioner's Opposition to Respondent's Motion To Extend Time To File An Answer To the TTAB via ESTTA and served a copy on the Registrant electronically as follows.

Timothy J. Feathers
Laila S. Wolfgram
Elizabeth A. Tassi
1201 Walnut Street, Suite 2900
Kansas City MO 64106-2150

timothy.feathers@stinson.com
laila.wolfgram@stinson.com
elizabeth.tassi@stinson.com
trademark@stinson.com

Attorneys for Respondent
Compass Minerals America, Inc.

/ Christopher Darrow /
Christopher Darrow